

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CORDELL BIRD,

Defendant.

CR 19–12–BLG–DLC

ORDER

United States Magistrate Judge Timothy J. Cavan entered Findings and Recommendation in this matter on May 14, 2019. Neither party objected and therefore they are not entitled to *de novo* review of the record. 28 U.S.C. § 636(b)(1); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003).

This Court will review the Findings and Recommendation for clear error.

McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc., 656 F.2d 1309, 1313 (9th Cir. 1981). Clear error exists if the Court is left with a “definite and firm conviction that a mistake has been committed.” *United States v. Syrax*, 235 F.3d 422, 427 (9th Cir. 2000).


Judge Cavan recommended this Court accept Cordell Bird’s guilty plea after

Bird appeared before him pursuant to Federal Rule of Criminal Procedure 11, and entered a plea of guilty to the crime of misappropriation of postal funds in violation of 18 U.S.C. § 1711 as charged in the Superseding Information.

I find no clear error in Judge Cavan's Findings and Recommendation (Doc. 23), and I adopt them in full.

Accordingly, IT IS ORDERED that Cordell Bird's motion to change plea (Doc. 14) is GRANTED and Cordell Bird is adjudged guilty as charged in the Superseding Information.

DATED this 30th day of May, 2019.



Dana L. Christensen, Chief District Judge
United States District Court